

Defense Verdict in FELA Case

Clabaugh v BNSF, USDC WYO Case No. 09-CV-144J (4/27/11)

A defense verdict was returned in an FELA case after a four-day trial. Robert Clabaugh sued BNSF claiming that a chair had collapsed resulting in a permanent injury to his back and leg. Evidence introduced at trial demonstrated that Plaintiff had been diagnosed with the same condition years before the accident. Although the jury found that the railroad was negligent under the FELA, it concluded that the incident had not caused the Plaintiff's injury.

This case was handled by George Powers.